

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

11 KAELEI GARNER, *et al.*, ) Case No. 2:21-cv-00750-RSL  
12 Plaintiffs, )  
13 v. ) **JOINT MOTION AND ORDER TO  
14** AMAZON.COM, INC., a Delaware ) **MODIFY CLASS CERTIFICATION  
15** Corporation, and AMAZON.COM SERVICES ) **BRIEFING DEADLINES**  
16 LLC, a Delaware Limited Liability Company, )  
17 Defendants. )  
18

---

19 Plaintiffs and Defendants, by and through their undersigned counsel, hereby stipulate to  
20 the following:

21 WHEREAS, this is a putative nationwide data privacy class action lawsuit.

22 WHEREAS, on November 17, 2021, Plaintiffs filed the Amended Consolidated Class  
23 Action Complaint against Defendants.

24 WHEREAS, the Parties have engaged in extensive discovery, including document  
25 requests, interrogatories, discovery dispute conferences, motions to compel, and roughly twenty  
depositions to date.

26 WHEREAS, fact discovery closed on February 27, 2024.

JOINT MOTION AND ORDER TO MODIFY  
CLASS CERTIFICATION BRIEFING  
DEADLINES

BYRNES • KELLER • CROMWELL LLP  
38TH FLOOR  
1000 SECOND AVENUE  
SEATTLE, WASHINGTON 98104  
(206) 622-2000

1        WHEREAS, the Parties have jointly agreed to schedule the deposition of Defendants'  
 2 corporate designee(s) after the close of fact discovery to be completed by April 26, 2024.

3        WHEREAS, the Parties have cooperatively discussed the need for an extension of class  
 4 certification briefing and related expert report deadlines.

5        WHEREAS, the Parties agreed that there will be no additional discovery requests issued  
 6 by either side.

7        WHEREAS, the Parties agreed that there will be no additional discovery-related motion  
 8 practice, including as to Rule 30(b)(6) topics, by either side, beyond what has already been filed  
 9 and is pending.

10      WHEREAS, this stipulation memorializes the Parties' agreement to extend the deadline  
 11 for Plaintiffs' motion for class certification and the parties' expert reports.

12      NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED among the  
 13 undersigned Parties, and respectfully submitted for the Court's approval, that the deadlines related  
 14 to Plaintiffs' motion for class certification be extended as follows:

| Event  | Current Deadline | Proposed Deadline  |
|--|------------------|--------------------|
| Last day to file motion for class certification (including expert report in support of class certification)  | April 19, 2024   | June 18, 2024      |
| Last day to file opposition to class certification (including expert report in opposition to class certification)  | June 26, 2024    | September 16, 2024 |
| Last day to file reply in support of class certification (including reply class certification expert report limited to any new subjects introduced in opposition report) | July 26, 2024    | October 31, 2024   |

24  
 25      Further, the parties agree that there will be no additional fact discovery or discovery-related  
 26 motions.

1 IT IS SO STIPULATED.

2 Respectfully submitted,

3 DATED: March 19, 2024

4 /s/ Bradley S. Keller

5 **BYRNES KELLER CROMWELL LLP**  
6 BRADLEY S. KELLER (WSBA# 10665)  
7 1000 Second Avenue  
8 Seattle, WA 98104  
9 Telephone: 206/622-2000  
10 206/622-2522 (fax)  
11 bkeller@byrneskeller.com

12 *Liaison Counsel for Plaintiffs and the Class*

13 **LABATON SUCHAROW LLP**

14 MICHAEL P. CANTY  
15 (admitted *pro hac vice*)  
16 CAROL C. VILLEGAS  
17 (admitted *pro hac vice*)  
18 GUILLAUME BUELL  
19 (admitted *pro hac vice*)  
20 DAVID SALDAMANDO  
21 (admitted *pro hac vice*)  
22 DANIELLE IZZO  
23 (admitted *pro hac vice*)  
24 140 Broadway  
25 New York, NY 10005  
26 Telephone: 212/907-0700  
212/818-0477 (fax)  
mcanty@labaton.com  
cvillegas@labaton.com  
gbuell@labaton.com  
dsaldamando@labaton.com  
dizzo@labaton.com

27 **ROBBINS GELLER**

28 **RUDMAN & DOWD LLP**  
29 PAUL J. GELLER  
30 STUART A. DAVIDSON  
31 (admitted *pro hac vice*)  
32 MARK J. DEARMAN  
33 (admitted *pro hac vice*)  
34 ALEXANDER C. COHEN

JOINT MOTION AND ORDER TO MODIFY  
CLASS CERTIFICATION BRIEFING  
DEADLINES

BYRNES • KELLER • CROMWELL LLP  
38TH FLOOR  
1000 SECOND AVENUE  
SEATTLE, WASHINGTON 98104  
(206) 622-2000

1 (admitted *pro hac vice*)  
2 NICOLLE B. BRITO  
3 (admitted *pro hac vice*)  
4 225 NE Mizner Boulevard, Suite 720  
5 Boca Raton, FL 33432  
6 Telephone: 561/750-3000  
7 561/750-3364 (fax)  
8 pgeller@rgrdlaw.com  
sdragon@rgrdlaw.com  
mdearman@rgrdlaw.com  
acohen@rgrdlaw.com  
nbrito@rgrdlaw.com  
9 *Co-Lead Counsel for Plaintiffs and the Class*

10 Dated: March 19, 2024

11 FENWICK & WEST LLP

12 By: /s/ Brian D. Buckley  
13 Brian D. Buckley, WSBA No. 26423

14 Y. Monica Chan, WSBA No. 58900  
15 401 Union Street, 5<sup>th</sup> Floor  
16 Seattle, WA 98101  
Telephone: 206.389.4510  
Facsimile: 206.389.4511  
Email: bbuckley@fenwick.com

17 Jedediah Wakefield (admitted *pro hac vice*)  
18 Tyler G. Newby (admitted *pro hac vice*)  
19 Armen N. Nercessian (admitted *pro hac vice*)  
Garner F. Kropp (admitted *pro hac vice*)  
555 California Street, 12<sup>th</sup> Floor  
San Francisco, CA 94104  
Telephone: 415.875.2300  
Facsimile: 415.281.1350  
Email: jwakefield@fenwick.com  
tnewby@fenwick.com  
anercessian@fenwick.com  
gkropp@fenwick.com

20  
21  
22  
23  
24  
25  
26  
Melissa Lawton (admitted *pro hac vice*)  
Esther D. Galan (admitted *pro hac vice*)  
Janie Yoo Miller (admitted *pro hac vice*)  
730 Arizona Avenue, 1<sup>st</sup> Floor  
Santa Monica, CA 90401  
Telephone: 310.434.5400  
Email: mlawton@fenwick.com

JOINT MOTION AND ORDER TO MODIFY  
CLASS CERTIFICATION BRIEFING  
DEADLINES

BYRNES • KELLER • CROMWELL LLP  
38TH FLOOR  
1000 SECOND AVENUE  
SEATTLE, WASHINGTON 98104  
(206) 622-2000

jmiller@fenwick.com  
egalan@fenwick.com

*Counsel for Defendants*  
AMAZON.COM, INC. and AMAZON.COM  
SERVICES LLC

## **ORDER**

Pursuant to the Parties' Stipulated Motion to Modify Class Certification Briefing Deadlines, it is HEREBY ORDERED that the case schedule shall be modified as follows:

| Event  | Current Deadline | Proposed Deadline  |
|--|------------------|--------------------|
| Last day to file motion for class certification (including expert report in support of class certification)  | April 19, 2024   | June 18, 2024      |
| Last day to file opposition to class certification (including expert report in opposition to class certification)  | June 26, 2024    | September 16, 2024 |
| Last day to file reply in support of class certification (including reply class certification expert report limited to any new subjects introduced in opposition report) | July 26, 2024    | October 31, 2024   |

It is further ORDERED that there will be no additional fact discovery or discovery-related motions.

Dated this 20th day of March, 2024.

Robert S. Lasnik  
Robert S. Lasnik  
United States District Judge

JOINT MOTION AND ORDER TO MODIFY  
CLASS CERTIFICATION BRIEFING  
DEADLINES

BYRNES ♦ KELLER ♦ CROMWELL LLP  
38TH FLOOR  
1000 SECOND AVENUE  
SEATTLE, WASHINGTON 98104  
(206) 622-2000